

UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	8932-295	Total Pages	25
First Named Inventor or Application Identifier			
PAUL et al.			
Express Mail Label No.	N/A		

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO: Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

- ☒ Fee Transmittal Form
Submit an original, and a duplicate for fee processing)
- ☒ Specification [Total Pages 13]
(preferred arrangement set forth below)
-Descriptive title of the Invention
-Cross Reference to Related Applications
-Statement Regarding Fed sponsored R&D
-Reference to Microfiche Appendix
-Background of the Invention
-Brief Summary of the Invention
-Brief Description of the Drawings (if filed)
-Detailed Description of the Invention (including drawings, if filed)
-Claim(s)
-Abstract of the Disclosure
- ☒ Drawing(s) (35 USC 113) (Formal) [Total Sheets 7]
- ☐ Oath or Declaration (Unexecuted) [Total Sheets 2]
 - ☐ Newly executed (original or copy)
 - ☐ Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 17 completed)
[Note Box 5 below]
 - ☐ DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33 (b).
 - ☐ Incorporation By Reference (useable if Box 4b is checked)
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

- ☐ Microfiche Computer Program (Appendix)
- ☐ Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
 - ☐ Computer Readable Copy
 - ☐ Paper Copy (identical to computer copy)
 - ☐ Statement verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

- ☐ Assignment Papers (cover sheet & document(s))
- ☐ 37 CFR 3.73(b) Statement ☐ Power of Attorney
(when there is an assignee)
- ☐ English Translation Document (if applicable)
- ☒ Information Disclosure ☒ Copies of IDS
Statement (IDS)/PTO-1449 Citations
- ☒ Preliminary Amendment
- ☐ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
- ☐ Small Entity ☐ Statement filed in prior application,
Statement(s) Status still proper and desired
- ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
- ☒ Other: Petition To Make Special Under 37 C.F.R.
§1.102(d) And Incorporated Information Disclosure Statement

17. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information:

- ☒ Continuation of prior application No: 09/363,844 filed July 30, 1999 which claims the benefit under 35 U.S.C. § 119(e) of Provisional Application No. 60/095,209, filed August 3, 1998, and is a continuation-in-part of U.S. Patent Application No. 09/219,439, filed December 23, 1998, now U.S. Patent No. 6,143,033, which in turn claims the benefit under 35 U.S.C. § 119(e) of Provisional Application No. 60/073,271, filed on January 30, 1998 and Provisional Application No. 60/095,425, filed on August 5, 1998.

18. CORRESPONDENCE ADDRESS

☒ Customer Number or Bar Code Label20582  Insert Customer No. or Attach bar code label here)☐ Correspondence address below

NAME			
ADDRESS			
CITY	STATE	ZIP CODE	
COUNTRY	TELEPHONE	FAX	

Burden-Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

PENNIE & EDMONDS LLP
COUNSELLORS AT LAW
1667 K Street, N.W.
Washington, D.C. 20006
(202) 496-4400

10474 U.S. PTO
09/828625
04/09/01

ATTORNEY DOCKET NO. 8932-295

Date: April 9, 2001

Assistant Commissioner for Patents
Box PATENT APPLICATION
Washington, D.C. 20231

Sir:

The following utility patent application is enclosed for filing:

Applicant(s): David C. PAUL, Hansjuerg EMCH, Beat SCHENK Executed on: Unexecuted

Title of Invention: **INTERVERTEBRAL ALLOGRAFT SPACER**

PATENT APPLICATION FEE VALUE

TYPE	NO. FILED	LESS	EXTRA	EXTRA RATE	FEE
Total Claims	20	-20	0	\$18.00 each	\$ 0.00
Independent	3	-3	0	\$80.00 each	\$ 0.00
Minimum Fee					\$ 710.00
Multiple Dependency Fee If Applicable (\$270.00)					\$ 0.00
Total					\$ 710.00
50% Reduction for Independent Inventor, Nonprofit Organization or Small Business Concern (a verified statement as to the applicant's status is attached)					- \$ 0.00
Total Filing Fee					\$ 710.00

- ☐ **DO NOT PUBLISH.** I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).
- ☒ This is a continuation of U.S. Patent Application No. 09/363,844, filed July 30, 1999 which claims the benefit under 35 U.S.C. § 119(e) of Provisional Application No. 60/095,209, filed August 3, 1998, and is a continuation-in-part of U.S. Patent Application No. 09/219,439, filed December 23, 1998, now U.S. Patent No. 6,143,033, which in turn claims the benefit under 35 U.S.C. § 119(e) of Provisional Application No. 60/073,271, filed on January 30, 1998 and Provisional Application No. 60/095,425, filed on August 5, 1998.

Please charge the required fee to Pennie & Edmonds LLP Deposit Account No. 16-1150. A copy of this sheet is enclosed.

Respectfully submitted,

Paul D. Bianco

Brian M. Poissant
By: Paul D. Bianco
PENNIE & EDMONDS LLP

Reg. No. 28,462
Reg. No. 43,500

Enclosures